IFW

Attorney's Docket No.: 11696-047001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter Mascia
Serial No. : 10/667,295
Filed : September 17, 2003
Title : BIOLOGICAL CONTAINMENT SYSTEM

Art Unit : 1638
Examiner : Unknown

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

The following correspondence relating to this application is enclosed for filing:

1. Information Disclosure Statement (1 page);
2. Form PTO-1449 (5 pages);
3. Copies of Cited References (68 references); and
4. A Return Postcard.

Please date stamp and return the enclosed postcard. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 30, 2004

Iris Tzafrir, Ph.D.
Reg. No. 53,708

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
(612) 335-5070 telephone
(612) 288-9696 facsimile

60240096.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 30, 2004
Date of Deposit

Angela J. Montgomery
Signature

Angela J. Montgomery
Typed or Printed Name of Person Signing Certificate

Attorney's Docket No.: 11696-047001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter Mascia
Serial No. : 10/667,295
Filed : September 17, 2003
Title : BIOLOGICAL CONTAINMENT SYSTEM

Art Unit : 1638
Examiner : Unknown

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicant submits the references listed on the attached form PTO-1449. Since this application was filed after July 1, 2003, only copies of non-U.S. patent citations are being provided.

This statement is being filed before the receipt of a first Office action on the merits. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 30, 2004

Iris Tzafrir, Ph.D.
Reg. No. 53,708

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696

60237605.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 30, 2004
Date of Deposit

Angela J. Montgomery
Signature

Angela J. Montgomery
Typed or Printed Name of Person Signing Certificate

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 11696-047001	Application No. 10/667,295
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Peter Mascia	
		Filing Date September 17, 2003	Group Art Unit 1638

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	4,654,465	03/31/87	Brar et al.			
	AB	4,727,219	02/23/88	Brar et al.			
	AC	4,936,904	06/26/90	Carlson			
	AD	4,946,778	08/07/90	Ladner et al.			
	AE	5,004,864	04/02/91	Robertson et al.			
	AF	5,034,323	07/23/91	Jorgensen et al.			
	AG	5,204,253	04/20/93	Sanford et al.			
	AH	5,432,068	07/11/95	Albertsen et al.			
	AI	5,538,880	07/23/96	Lundquist et al.			
	AJ	5,704,160	01/06/98	Bergquist et al.			
	AK	5,706,603	01/13/98	Bergquist et al.			
	AL	5,824,779	10/20/98	Koegel et al.			
	AM	5,824,798	10/20/98	Tallberg et al.			
	AN	5,900,525	05/04/99	Austin-Phillips et al.			
	AO	5,907,082	05/25/99	O'Neill et al.			
	AP	5,922,934	07/13/99	Bergquist et al.			
	AQ	6,013,863	01/11/00	Lundquist et al.			
	AR	6,087,558	07/11/00	Howard et al.			
	AS	6,093,874	07/25/00	Jofuku et al.			
	AT	6,136,320	10/24/00	Arntzen et al.			
	AU	6,229,064	05/08/01	Fischer et al.			
	AV	6,232,526	05/15/01	McElroy et al.			
	AW	6,235,974	05/22/01	Qiu et al.			
	AX	6,235,975	05/22/01	Harada et al.			
	AY	6,248,940	06/19/01	Bergquist			
	AZ	6,255,564	07/03/01	Fabijanski et al.			
	AAA	6,262,334	07/17/01	Endege et al.			

Examiner Signature	Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 11696-047001	Application No. 10/667,295
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Peter Mascia	
		Filing Date September 17, 2003	Group Art Unit 1638

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	ABB	6,262,341	07/17/01	Baszczynski et al.			
	ACC	6,271,016	08/07/01	Anderson et al.			
	ADD	6,303,341	10/16/01	Hiatt et al.			
	AEE	6,320,102	11/20/01	Harada et al.			
	AFF	6,326,527	12/04/01	Kirihara et al.			
	AGG	6,329,571	12/11/01	Hiei			
	AHH	6,392,119	05/21/02	Gutterson et al.			
	AII	6,399,856	06/04/02	Cigan et al.			
	AJJ	6,417,429	07/09/02	Hein et al.			
	AKK	6,492,577	12/10/02	Harada et al.			
	ALL	6,541,610	04/01/03	Smith			

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation Yes	Translation No
	AMM	WO 90/08828	08/09/90	PCT				
	ANN	WO 97/31064	08/28/97	PCT				
	AOO	WO 98/08961	03/05/98	PCT				
	APP	WO 98/28431	07/02/98	PCT				
	AQQ	WO 98/36083	08/20/98	PCT				
	ARR	WO 98/36090	08/20/98	PCT				
	ASS	WO 98/53083	11/26/98	PCT				
	ATT	WO 99/32619	07/01/99	PCT				
	AUU	WO 99/53050	10/21/99	PCT				
	AVV	WO 99/67405	12/29/99	PCT				
	AWW	WO 00/24914	05/04/00	PCT				
	AXX	WO 00/28058	05/18/00	PCT				
	AYY	WO 00/37660	06/29/00	PCT				

Examiner Signature	Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 11696-047001	Application No. 10/667,295
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Peter Mascia	
		Filing Date September 17, 2003	Group Art Unit 1638

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation Yes	Translation No
	AZZ	WO 00/40694	07/13/00	PCT				
	AAAA	EP 0 329 308	10/10/01	EPO				

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	ABBB	GenBank Accession No. ACC39488
	ACCC	GenBank Accession No. J02798
	ADDD	GenBank Accession No. J05212
	AEEE	GenBank Accession No. L05934
	AFFF	GenBank Accession No. M63985
	AGGG	GenBank Accession No. U09118
	AHHH	GenBank Accession No. U09119
	AIII	GenBank Accession No. U39944
	AJJJ	GenBank Accession No. U93215
	AKKK	GenBank Accession No. Z17657
	ALLL	Abler and Scandalios, "Isolation and characterization of a genome sequence encoding the maize *Cat3* catalase gene," Plant Mol. Biol., 1993, 22:1031-1038
	AMMM	Austin et al., "An Overview of a Feasibility Study for the Production of Industrial Enzymes in Transgenic Alfalfa," Annals NY Acad. Sci., 1994, 721:234-244
	ANNN	Austin et al., "Production and field performance of transgenic alfalfa (*Medicago sativa* L.) expressing alpha-amylase and manganese-dependent lignin peroxidase," Euphytica, 1995, 85:381-393
	AOOO	Bai et al., "Isolation and Characterization of *SYN1*, a *RAD21*-like Gene Essential for Meiosis in Arabidopsis," Plant Cell, 1999, 11:417-430
	APPP	Blume and Grierson, "Expression of ACC oxidase promoter-GUS fusions in tomato and *Nicotiana plumbaginifolia* regulated by developmental and environmental stimuli," Plant J., 1997, 12:731-746
	AQQQ	Bossinger and Smyth, "Initiation patterns of flower and floral organ development in *Arabidopsis thaliana*," Development, 1996, 122:1093-1102
	ARRR	Bowman, "Expression of the Arabidopsis Floral Homeotic Gene *AGAMOUS* Is Restricted to Specific Cell Types Late in Flower Development," Plant Cell, 1991, 3:749-758
	ASSS	Bustos et al., "Regulation of β-Glucuronidase Expression in Transgenic Tobacco Plants by an A/T-Rich, *cis*-Acting Sequence Found Upstream of a French Bean β-Phaseolin Gene," Plant Cell, 1989, 1:839-853

Examiner Signature	Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 11696-047001	Application No. 10/667,295
Information Disclosure Statement by Applicant (Use several sheets if necessary)		Applicant Peter Mascia	
(37 CFR §1.98(b))		Filing Date September 17, 2003	Group Art Unit 1638

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	ATTT	Chen and Foolad, "Molecular organization of a gene in barley which encodes a protein similar to aspartic protease and its specific expression in nucellar cells during degeneration," Plant Mol. Biol., 1997, 35:821-831
	AUUU	Choi et al., "Tissue-specific and developmental regulation of a gene encoding a low molecular weight sulfur-rich protein in soybean seeds," Mol. Gen. Genet., 1995, 246:266-268
	AVVV	Colombo et al., "Downregulation of Ovule-Specific MADS Box Genes from Petunia Results in Maternally Controlled Defects in Seed Development," Plant Cell, 1997, 9:703-715
	AWWW	Conceicão and Krebbers, "A cotyledon regulatory region is responsible for the different spatial expression patterns of *Arabidopsis* 2S albumin genes," Plant J., 1994, 5(4):493-505
	AXXX	Dieffenbach and Dveksler (eds.), PCR Primer: A Laboratory Manual, 1995, Cold Spring Harbor Laboratory Press (TOC only)
	AYYY	Drews et al., "Negative Regulation of the Arabidopsis Homeotic Gene *AGAMOUS* by the *APETALA2* Product," Cell, 1991, 65:991-1002
	AZZZ	Ficker et al., "Multiple elements of the *S_2-RNase* promoter from potato (*Solanum tuberosum* L.) are required for cell type-specific expression in transgenic potato and tobacco," Mol. Gen. Genet., 1998, 257:132-142
	AAAAA	Ficker et al., "A promoter directing high level expression in pistils of transgenic plants," Plant Mol. Biol., 1997, 35:425-431
	ABBBB	Green et al., "Binding site requirements for pea nuclear protein factor GT-1 correlate with sequences required for light-dependent transcriptional activation of the *rbcS-3A* gene," EMBO J., 1988, 7(13):4035-4044
	ACCCC	Guerrero et al., "Promoter sequences from a maize pollen-specific gene direct tissue-specific transcription in tobacco," Mol. Gen. Genet., 1990, 224(1):161-168
	ADDDD	Gustafson-Brown et al., "Regulation of the Arabidopsis Floral Homeotic Gene *APETALA1*," Cell, 1994, 76(1):131-143
	AEEEE	Ji and Langridge, "An early meiosis cDNA clone from wheat," Mol. Gen. Genet., 1994, 243(1):17-23
	AFFFF	Jordano et al., "A Sunflower Helianthinin Gene Upstream Sequence Ensemble Contains an Enhancer and Sites of Nuclear Protein Interaction," Plant Cell, 1989, 1:855-866
	AGGGG	Josefsson et al., "Structure of a Gene Encoding the 1.7 S Storage Protein, Napin, from *Brassica napus*," J. Biol. Chem., 1987, 262:12196-12201
	AHHHH	Klimyuk and Jones, "*AtDMC1*, the *Arabidopsis* homologue of the yeast *DMC1* gene: characterization, transposon-induced allelic variation and meiosis-associated expression," Plant J., 1997, 11(1):1-14
	AIIII	Kobayashi et al., "Characterization of cDNAs Induced in Meiotic Prophase in Lily Microsporocytes," DNA Res., 1994, 1:15-26
	AJJJJ	Kulikauskas and McCormick, "Identification of the tobacco and *Arabidopsis* homologues of the pollen-expressed LAT59 gene tomato," Plant Mol. Biol., 1997, 34:809-814
	AKKKK	Lee and Huang, "Genes encoding oleosins in maize kernel of inbreds Mo17 and B73," Plant Mol. Biol., 1994, 26(6):1981-1987
	ALLLL	Mandel et al., "Molecular characterization of the *Arabidopsis* floral homeotic gene *APETALA1*," Nature, 1992, 360:273-277

Examiner Signature	Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 11696-047001	Application No. 10/667,295
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Peter Mascia	
		Filing Date September 17, 2003	Group Art Unit 1638

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	AMMMM	Meier et al., "Elicitor-Inducible and Constitutive in Vivo DNA Footprints Indicate Novel *cis*-Acting Elements in the Promoter of a Parsley Gene Encoding Pathogenesis-Related Protein 1," Plant Cell, 1991, 3:309-315
	ANNNN	Owen and Pen (eds.), Transgenic Plants: A Production System for Industrial and Pharmaceutical Proteins, 1996, John Wiley & Sons Ltd. (TOC only)
	AOOOO	Ray et al., "*Arabidopsis* floral homeotic gene BELL (*BEL1*) controls ovule development through negative regulation of AGAMOUS gene (AG)," Proc. Natl. Acad. Sci. USA, 1994, 91:5761-5765
	APPPP	Reiser et al., "The *BELL1* Gene Encodes a Homeodomain Protein Involved in Pattern Formation in the Arabidopsis Ovule Primordium," Cell, 1995, 83:735-742
	AQQQQ	Rotino et al., "Genetic engineering of parthenocarpic plants," Nat. Biotechnol., 1997, 15:1398-1401
	ARRRR	Sambrook et al., Molecular Cloning: A Laboratory Manual, 1989, 2nd edition, Cold Spring Harbor Press, Plainview, NY, Sections 9.37-9.52
	ASSSS	Schernthaner et al., "Control of seed germination in transgenic plants based on the segregation of a two-component genetic system," Proc. Natl. Acad. Sci. USA, 2003, 100:6855-6859
	ATTTT	Sheridan et al., "The *mac1* Gene: Controlling the Commitment to the Meiotic Pathway in Maize," Genetics, 1996, 142:1009-1020
	AUUUU	Sjödahl et al., "Deletion analysis of the *Brassica napus* cruciferin gene *cru 1* promoter in transformed tobacco: promoter activity during early and late stages of embryogenesis is influenced by *cis*-acting elements in partially separate regions," Planta, 1995, 197(2):264-271
	AVVVV	Treacy et al., "*Bnm*1, a *Brassica* pollen-specific gene," Plant Mol. Biol., 1997, 34:603-611
	AWWWW	Urao et al., "Molecular cloning and characterization of a gene that encodes a MYC-related protein in *Arabidopsis*," Plant Mol. Biol., 1996, 32(3):571-576
	AXXXX	Wakeley et al., "A maize pectin methylesterase-like gene, ZmC5, specifically expressed in pollen," Plant Mol. Biol., 1998, 37:187-192
	AYYYY	Yadegari et al., "Mutations in the *FIE* and *MEA* Genes That Encode Interacting Polycomb Proteins Cause Parent-of-Origin Effects on Seed Development by Distinct Mechanisms," Plant Cell, 2000, 12:2367-2382
	AZZZZ	Zhang et al., "DNA Sequences That Activate Isocitrate Lyase Gene Expression during Late Embryogenesis and during Postgerminative Growth," Plant Physiology, 1996, 110:1069-1079
	AAAAAA	Ziegelhoffer et al., "Expression of bacterial cellulase genes in transgenic alfalfa (*Medicago sativa* L.), potato (*Solanum tuberosum* L.) and tobacco (*Nicotiana tabacum* L.)," Molecular Breeding, 1999, 5:309-318
	ABBBBB	Ziegelhoffer et al., "Dramatic effects of truncation and sub-cellular targeting on the accumulation of recombinant microbial cellulase in tobacco," Molecular Breeding, 2001, 8:147-158

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	